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Taylor Times

A PUBLICATION OF THE GEORGE C. TAYLOR LAW CENTER AT THE UNIVERSITY OF TENNESSEE

MARCH, 1991

March						
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

March 3
15th Amendment enacted, 1870
March 4 - 8
 Women's Week - See schedule of events on page 3
 March 6
 Scott v. Sanford, 1857
 March 9
 New York Times v. Sullivan, 1964
March 13
 "Estate Planning - It's More Than Wills and Trusts" - 11:00 a.m. - Moot Court Room - Sponsored by Career Services
March 16
 Fletcher v. Peck, 1810
March 17
 St. Patrick's Day. Don't get pinched, wear green!
March 18
 Gideon v. Wainwright, 1963
March 18 - 22
 Spring Break!
March 20
 Springs begins
March 26 -27
Lawyers of the Future and "Class of 1991 Composite" pictures taken in the Career Services office
March 29
 Holiday. No classes and administrative offices are closed.
 23rd Amendment enacted, 1961

Yarbrough Resigns as Dean of the College of Law

From a letter to the Chancellor

Although there is certainly much more to be done, my major goal of the past three and a half years - increasing the visibility of the College so as to significantly increase alumni support and giving, improve the quality of student applicants, and place us in the best possible light for our reaccreditation process - has largely been accomplished. There have been added bonuses, such as making the new building a priority with the University and THEC, and attracting additional faculty salary, equipment, and library acquisitions funds. The College is poised to move into its next phase.

As you know, since David and I married three years ago, we have been trying to devise arrangements that enabled us to pursue our careers and, if not live together, at least easily see each other often. At the same time, I had made commitments to the University and College to accomplish certain objectives as Dean, and to my daughter, Carla, to spend at least her high school years here in Knoxville. This summer will mark Carla's graduation from high school and the end of my fourth year at Tennessee.

As I see it, the next four to five years will primarily be devoted to two very necessary major tasks for the Dean of the College of Law. If the University mounts a major fundraising drive in celebration of its bicentennial year, the College will have a major role in that drive. It should attract several major gifts that will provide for several new professorships and scholarships as well as for the "extras" for the new building. This should go far, too, in alleviating some of our continuing

problems with the law school accrediting agencies. In addition, the process of building the new facility will take a major portion of the Dean's time -- planning for it, coordinating with University officials, architects, builders, alumni, etc. This, too, is essential as we strive to maintain our position in legal education. Both of these activities, major fundraising and building, deserve leadership for the entire period.

I am writing now to let you know of my decision to resign the deanship as of June 30, 1991. I have thoroughly enjoyed my years as Dean and all of the wonderful friendships and professional associations I have made and look forward to continuing those over the years. A return to full time teaching, coupled with my empty nest, should allow me personal time and freedom that have not been available during the past four years. I look forward to working with you in making the transition to new leadership as smooth as possible. Please do not hesitate to call on me for whatever assistance I can give.



THE UNIVERSITY OF TENNESSEE

Upcoming events:

Law Week: April 8 - 12

Featuring: the Ray H. Jenkins Trial Competition, the Alan Novak Auction, and the Advocates' Prize Moot Court Competition

Faculty Activities

Tom Eisele ...

... will have his article, "Legal Theory and Wittgensteinian Thought," published in a book, *Wittgenstein and Legal Theory* (edited by P. Radin and B. Gordon, Westview Press).

Glenn Reynolds ...

... will have an article, "United States Telecommunications Trade Policy: Critique and Suggestions," published in an upcoming issue of the *Tennessee Law Review*.

... was featured in the Living Section of *The Knoxville News-Sentinel*, Sunday, February 24. He was recognized for his work in space law.

Barbara Stark ...

... has had an article on divorce law, feminism, and psychoanalysis accepted by the University of California, Los Angeles, law review for publication later this year.

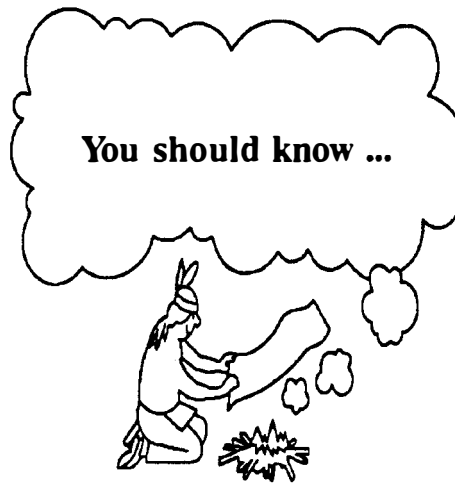
Dick Wirtz ...

... has been elected chair-elect of the Teaching Methods Sections of the American Association of Law Schools at the annual meeting in January.

Marilyn Yarbrough ...

... has been awarded an honorary degree from the Board of Trustees at Capital University Law School in Columbus, Ohio.

The University of Tennessee, Knoxville, does not discriminate on the basis of race, sex, religion, national origin, age, handicap, or veteran status in provision of educational opportunities or employment opportunities and benefits. UT does not discriminate on the basis of sex or handicap in the education programs and activities which it operates, pursuant to Title IX of the Education Amendments of 1972, Public Law 92-318, and Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Title IX and Section 504 should be directed to the Director of Affirmative Action, 403B Andy Holt Tower, University of Tennessee, Knoxville, TN 37996-0144, telephone 615/974-2498. Charges of violation of the above policy should also be directed to the office of the Director of Affirmative Action. E01-1610-006-91



Dawn Bennett will leave the College of Law to join the circus March 1st. Dawn and husband, Keith, will travel by train with one road group of the Ringling Brothers Circus for eighteen months. Thank you for your hard work in the Dean's Office, Dawn, and best of everything, Dawn and Keith!

Carla Ainsworth, youngest daughter of Dean Marilyn Yarbrough, has been named one of the 1,500 semifinalists in the 1991 Presidential Scholars Program. Carla is a senior at Webb School.

Jim Gobert, ex-faculty member now teaching in England, and his partner will represent England in the 1991 European Bridge Championships which will be held in March in Molecativ, Italy. The sixteen pairs representing the United Kingdom were selected based on top finishes in the three major pairs events held during the past two years in England. *Taylor Times* will keep you informed of his "trick-taking."

Chad Dossett, son of Carolyn Dossett, Admissions Office, was a member of the Rush Strong Plainsmen, a championship basketball team who won the Tri-County Conference Boy's Tournament Championship last month.

EXTRA!!! The Times EXTRA!!!

BLSA Students Win History Quiz Bowl for Second Consecutive Year



Members of the Black Law Student Association (BLSA) at The University of Tennessee College of Law won the 1991 African and African-American History Quiz Bowl, February 7. The bowl was sponsored by the Black Cultural Programming Committee and was a part of a series of events celebrating Black History Month at The University of Tennessee.

Members from each law class were represented on the College of Law's team. They were: Maliaka L. Bass, a third-year law student from Nashville, Aubrey L. David, a third-year law student from Knoxville, Brian J. Quarles, a second-year law student from Memphis, and Kevin G. Townsel, a first-year law student from Nashville.

The competition was in game show style with teams vying for toss-up and bonus questions. Ms. Bass, who served as the captain of this year's law team, said the questions this year were more challenging than last year. Examples of questions asked include: identify the black dialect used in coastal South Carolina and Georgia?; who is the president of Namibia?; and which of the thirteen original colonies was the first to legalize slavery?

BLSA president and team member, Brian Quarles said, "The questions were challenging and even if you weren't familiar with the information, you learned something during the competition." The College of Law team defeated two other teams before taking the championship round against the Black Male Caucus and winning the Quiz Bowl trophy.

The UT Knoxville Commission for Women
Presents:

Women's Week
March 4 - 8



A Celebration for all of The University of Tennessee - Knoxville
Faculty, Staff and Student Women!

Join us for a week of activities and events including:

Brown Bag Luncheon on "Women and Wellness" featuring Rosa Emory
March 4, 1991, noon, University Center Crest Room

Women's Studies Reception
March 4, 1991, 3:30-5:00 p.m., 2012 Lake Avenue

Speaker Molly Yard, President, National Organization for Women
March 4, 1991, 8:00 p.m., University Center Auditorium
Sponsored by the Women's Coordinating Council

Women in Higher Education Conference: The Roles of Self Assessment
March 5, 1991, 8:00-5:00, UT Conference Center
Sponsored by UT Personnel

Panel Discussion: Women in Sports
March 5, 1991, 7:30 p.m., Hodges Library Auditorium
Sponsored by the Women's Coordinating Council

Chancellor's Reception for all UT Knoxville Women
March 6, 1991, 2:30-4:00 p.m., University Center Hermitage Room

Panel Discussion: The African American Woman
March 6, 1991, 7:00 p.m., University Center Shiloh Room
Sponsored by the Black Cultural Programming Committee

Martha Graham Dance Company
March 6, 1991, 8:15 p.m., Clarence Brown Theater
Sponsored by the Cultural Attractions Committee

Forum: Women in Politics
March 7, 1991, noon, University Center Shiloh Room
Reception immediately following forum in Room 220

Poetry Reading: George Ella Lyon
March 7, 1991, 7:30 p.m., Laurel Theatre

Sponsored by the Creative Writing Program, the John C. Hodges Better English Fund,
the Womens Coordinating Council, the Black Cultural Programming Committee, and
the Women's Studies Program

For more information about Women's Week Activities, call Nina Elliott at 974-2565.

The "Lets Go For It!" Section
for Law Students
#####

A student writing competition is being sponsored by the State Constitutional Law Clearinghouse Project with a cash prize of \$1,000 and publication of the winning article in *Emerging Issues in State Constitutional Law*. Any topic of importance to state constitutional law will be considered as well as these suggested topics: What should a charge to a commission considering wholesale revision of a state constitution include? How should state courts approach juror exclusion questions after Wheeler (Cal.Sup.Ct.) and Batson (U.S.). Evaluate the impact of Michigan v. Long (U.S.) on principles of federalism, the ability of state courts to develop a separate body of constitutional law, etc; should the U.S. Supreme Court revisit that decision now? Should state courts interpret free speech protections in their constitutions more broadly for high school students than under the federal system in the Hazelwood (U.S.) decision? Send a postcard of intent by March 25, 1991. Deadline: April 19, 1991.

For further information see the Contest Bulletin Board or Dean Mary Jo Hoover.

TAYLOR TRIVIA: When did *The Forum*, the law student newspaper, become a part of the GCT culture? **Answer to last month's Taylor Trivia:** Taylor Trivia first appeared in *Taylor Times* on March 5, 1986. It read "What Torts Professor has been seen on television recently in a car commercial? (Hint: this isn't his first role in mass media advertising!). The answer: Jerry J. Phillips.

(Reprinted from Courtroom Television Network, New York City, New York, press release)

COURTROOM TELEVISION NETWORK UNVEILS PLANS FOR TWO PROGRAM BLOCKS

Network To Offer Legal Education Programs In Addition To Telecasting Trials

SEATTLE, February 9, 1991 --

Courtroom Television Network, the soon-to-be-launched nationwide cable television network also known as "COURT TV," has announced that it will offer two programming blocks that will involve state, local, and national bar associations, and other legal education groups across the country in the most ambitious legal education effort ever undertaken in the United States.

The first, "Citizens Law," will be directed at a lay audience. The second, "In Practice," will be a weekend continuing legal education program which will serve both the public and the legal profession. The Network will depart from its weekday format of the telecast and interpretation of trials to air these shows on weekends during the day, when it begins broadcasting nationwide on cable TV this coming July. Plans for the program blocks were unveiled by Fred Graham, the Network's Managing Editor, in remarks to the National Conference of Bar Presidents at the American Bar Association Mid-Year Meeting here.

"'In Practice' will be lawyer-to-lawyer talk, but we think eavesdropping non-lawyers will find it fascinating," said Graham. "I predict that 'In Practice' will become one of the surprise successes of cable TV -- a program for lawyers devoured by the general public, much as the weekend TV programs for doctors have been watched by so many non-physicians with such interest. And 'Citizens Law,' supplementing the network's daily trial coverage, will help the general public gain a greater understanding of the nation's legal system." These weekend hours of COURT TV's programming will present the best of the legal profession's video material providing continuing legal education to the nation's attorneys. In addition, it will

include programming by state and national bar associations aimed at informing the lay public about the law and individual rights.

Graham delivered an invitation from Steven Brill, CEO of Courtroom Television Network, to local, state, and national bar groups to submit programming aimed at a lay audience for "Citizens Law," as well as videotapes of their continuing legal education programs for possible use on "In Practice."

Beginning in July, COURT TV will provide live and taped coverage of American trials supplemented by reporting from eminent legal journalists and commentary by prominent lawyers. The Network's format will enable Americans to see and understand how their legal system works.

"Justice doesn't come in sound bites," Brill noted. "And we're going to show the justice system as it really is, by showing full-length trials -- and by explaining them to a lay audience with help from some of the nation's leading lawyers. It's time we took camera coverage of trials away from the sound bites and the tabloid writers and gave it the attention and careful journalism it deserves."

Courtroom Television Network, a 24-hour basic cable service, is a joint venture of American Lawyer Media, L.P.; Time Warner Inc.; NBC; and Cablevision Systems Corp. Steven Brill, President and CEO of American Lawyer Media, L.P. is CEO of the joint venture. Fred Graham, former Supreme Court reporter for *The New York Times* and CBS TV News, is the channel's Managing Editor and Chief Anchor. The Network's board of commentators includes Floyd Abrams, F. Lee Bailey, David Boies, Robert Bork, Yale Law School Dean Guido Calabresi, Raoul Felder, Arthur Liman, and Barry Slotnick. The Network will draw on the resources of American Lawyer Media's eleven legal publications throughout the United States, including the award-winning monthly *American Lawyer* magazine, *Legal Times* in Washington, and *The Texas Lawyer*. With more than 200 legal reporters and editors throughout the country, American Lawyer Media is the largest legal journalism company in the world.

COURTROOM TELEVISION NETWORK - WATCHING THE DRAMA OF JUSTICE

The Courtroom Television Network, a 24-hour a day cable television service, will begin coverage of trials and other legal news this summer. The following is a brief look at the network--the people, programming and philosophy that promise to change the public's understanding of the American legal system.

WHO'S BEHIND THE COURTROOM TELEVISION NETWORK

The network brings together the finest talent in legal journalism, television news and cable operations. Managed by American Lawyer Media, L.P., the largest legal journalism company in the world, the venture's partners include Time Warner Inc., a company with an admirable history in both journalism and television production; Cablevision Systems Corp., a leading innovator in cable programming and a preeminent cable system operator; and NBC, a premier network organization.

WHY A NETWORK DEVOTED TO THE LAW?

Until recently the launch of a network dedicated to the courts and the law would have seemed unlikely. But today, with 45 states permitting television coverage of courtroom proceedings, and with the federal court system scheduled to begin a landmark test of cameras in selected federal jurisdictions, the advent of the Courtroom Television Network could not be more timely.

Moreover, the recent development of new technology has resulted in increasingly unobtrusive audio and video equipment that does not interfere with court proceedings. Those factors, combined with the public's growing need for legal information, the critical nature of court and other legal news in contemporary society, and the growing importance of cable television in the nation's information diet, make the 1991 launch of the Courtroom Television Network the right idea at the right time.

(Continued on page 5)

THE CAMERA IN THE COURTROOM

Over the past decade, as the U.S. state court system has permitted extensive television coverage, a body of evidence has been assembled supporting the revolutionary use of cameras in the courtroom. In state after state, television coverage is now an accepted part of courtroom life. In fact, none of the states that have experimented with television coverage has reversed its decision. And, of the 29 states that have studied the subject, none has concluded that cameras have had a negative impact. When measured by the reactions of judges, attorneys, jurors and witnesses, the overwhelming conclusion drawn by state legal groups and legislators has been that television does not disrupt judicial proceedings, can make case management more efficient, and serves to add to the public's understanding of the judicial system.

The analysis of recent television coverage of state courts challenges each of the initial fears that judges, attorneys, and others may have expressed. In Louisiana, for instance, a judicial report concluded that "the many fears that are expressed about the presence of the TV camera are unfounded."

In Arizona, after a one-year experiment there, 82 percent of judges responding to a questionnaire about their experience with cameras reported a "favorable" experience. In Connecticut, Hon. Maurice J. Sponzo, in a report to the judges of the Superior Court, reported that their one-year experiment "has been a success. We believe that the introduction of electronic coverage by the media into Superior Court proceedings has been accomplished without threatening the rights of parties or without interfering with the orderly disposition of cases."

All in all, the convincing nature of the state television experiments to date was a major factor in encouraging a committee of the federal Judicial Conference to launch the three-year experiment with cameras beginning in July 1991.

WHO'S THE AUDIENCE FOR THE COURTROOM TELEVISION NETWORK?

Of course, lawyers and other members of the legal profession will be interested in the courtroom coverage and legal news

programming of the network. What's more, the Courtroom Television Network will also offer legal professionals a variety of continuing legal education programming that will help them keep up to date in the field. But during most of its weekday hours, the service will focus on the nation's courtrooms, offering complete coverage of the most newsworthy and compelling trials in both state and, as of July 1st, some federal courts.

There is considerable evidence that complete trial coverage will draw significant ratings. As an example, innovative trial coverage by Long Island's News 12, an all news cable service owned by Cablevision, a Courtroom Television Network equity partner, drew landmark ratings competitive with daytime network programming. And, of course, television programs and feature films about courts and the legal field have been consistently successful.

LIVE, EXPERT COVERAGE

By day the Courtroom Television Network will offer more live-event coverage than any network in TV history. The network's cameras and reporters will be in courts throughout the country to feed live coverage and, in some cases, taped trials to an anchor desk in New York. But we also understand that that's not enough. We'll explain trials and the law to the television audience in a fashion that will inform and educate them. Using modern television graphic techniques, we will always be sure to let the viewer know who is on the stand, what case we are airing, and what the important legal issues are. Expert commentators, often drawn from our well-known Board of Commentators, will always be on hand to guide viewers through complex legal issues. In short, media coverage of the law, previously left to Clint Eastwood and the actors on L.A. Law, will now feature the real thing explained by the nation's leading experts.

JUSTICE WON'T COME IN SOUNDBITES

We're aware, of course, that many lawyers, judges and other professionals are leery of "soundbite" journalism-- court coverage that takes brief clips of trials and airs them with little context. We think their concerns can be overstated. Why, for instance, is it acceptable for

print journalists to take a quote from court testimony when the same soundbite is viewed with horror? The answer has to do with the enormous impact that television news has on the mass audience. But at the same time, television has an ability to educate the public and elevate their appreciation of the legal process to a new level. Certainly even a soundbite of a closing argument is better than an untrained anchor's ten word summary of that argument. Clearly, even a soundbite from trial coverage is better than a soundbite of picketers demonstrating outside the courthouse.

The Courtroom Television Network will offer an unprecedented type of in-depth trial coverage. Putting a camera in the courtroom environment, a setting designed with public viewing in mind, will improve public understanding of lawyers, judges, juries and judicial decisions.

MAKING TRIALS INTERESTING AS WELL AS EDUCATIONAL

Trials, of course, can be boring if the right people aren't picking the right ones and then figuring out how to cover those cases within the boundaries of the finest tradition in American legal journalism. Although we recognize that even the most important trials have extended periods of technical testimony, procedural arguments and private conferences, our journalistic understanding of the legal system will help us adapt the nuance and rhythm of the courtroom to television coverage.

That's exactly why the editorial expertise of American Lawyer Media is so critical to the success of the Courtroom Television Network. The nationally recognized publishing experience of Courtroom Television Network CEO Steven Brill, combined with the demonstrated television journalism expertise of chief anchor and managing editor Fred Graham, the award winning former CBS Law Correspondent, assure the finest in legal coverage. And the editorial infrastructure of reporters and editors at the 11 American Lawyer Media publications from Connecticut to Florida to Texas to California assure a breadth of in-depth coverage and expertise that can not be equalled.

(Continued on page 6)

LEGAL JOURNALISM'S FINEST: STEVEN BRILL

As president and CEO of American Lawyer Media and CEO of the Courtroom Television Network, Brill brings a distinguished background and a unique vision to the cable service. Brill founded *The American Lawyer* in 1979 and has held the post of Editor in Chief since then. Before starting *The American Lawyer*, Brill had been a columnist and writer for *Esquire* and *New York* magazines and had written a 1978 best selling book, *The Teamsters*. He is a graduate of Yale College and Yale Law School.

Under Brill's leadership, *The American Lawyer* has been nominated for 13 National Magazine Awards and has won two. Brill, himself, has been nominated for eight and won one and has also won the John Hancock Award for Business Journalism. His regular feature in *The American Lawyer*, "Headnotes", has become required reading for the American legal community.

FRED GRAHAM

After a distinguished career as a practicing attorney, government official, *New York Times* legal writer, and law correspondent for CBS News, Graham joined the American Lawyer team in 1990 as chief anchor and managing editor.

During his 15 years at CBS News, Graham covered the activities of the Supreme Court, the Justice Department, and the FBI. His insightful reporting on those critical beats, combined with his coverage of headline-making court trials such as the Watergate, Daniel Ellsberg, and John Delorean cases and his work on major CBS documentaries and investigative reports combine to make Graham one of television's most respected journalists.

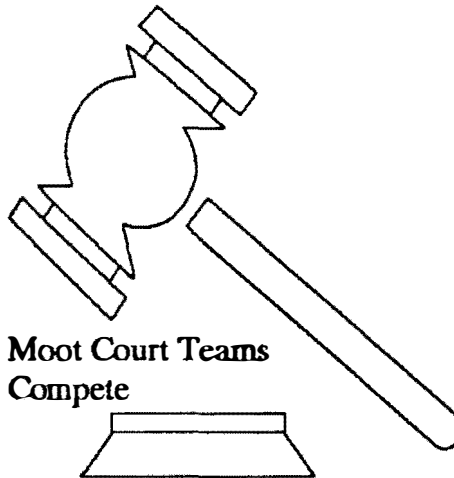
THE AMERICAN LAWYER MEDIA ORGANIZATION

In addition to the monthly *The American Lawyer*, the company owns 10 publications: *Manhattan Lawyer*, *Legal Times* (Washington, D.C.), *Texas Lawyer*, *The Connecticut Law Tribune*, *New Jersey Law Journal*, *Miami Review*, *Palm Beach Review*, *Broward Review* (Fort Lauderdale), *The Recorder* (San Francisco), and the *Fulton County Daily Report* (Atlanta). Most are the officially recognized legal publications of the courts

in their jurisdictions.

Although the 11 publications serve different constituencies, each shares an operating philosophy demonstrated first in *The American Lawyer*. That publishing strategy starts with the premise that legal and business reporting does not have to be boring and that lively, important journalism reported by the field's top professionals attracts a readership willing to pay significant prices for critical professional information. In turn, advertisers have been attracted to publications that reach select, committed readers.

Some of the American Lawyer Media publications are more than a century old. But under the leadership of the American Lawyer Media team, each has a modern vitality, a fresh design, and an understanding of its community that is as contemporary and compelling as today's legal news and as sophisticated as its audience.



Moot Court Teams Compete

Three moot court teams from The University of Tennessee College of Law competed in regional competitions during the month of February. The Frederick Douglass team competed in New Orleans, Louisiana, February 13-16; the Environmental team competed in White Plains, New York, February 21-23; and the Constitutional Law team competed in Williamsburg, Virginia, February 22-23.

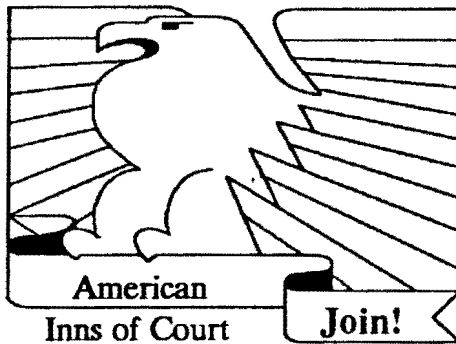
The Frederick Douglass Moot Court team members are Cheri L. Beasley, a second-year law student from Smyrna, Georgia, and Brian J. Quarles, a second-year law student from Memphis. The team was coached by Professor Peter Morgan. "The team performed in the regionals, by

all accounts, extremely well," said Professor Morgan. The team tackled a first and fourteenth amendment question which was raised by the common rule forbidding all-black student groups from refusing to allow white members. The team did not make the final cuts in the competition.

The Environmental Law National Moot Court team members are Maliaka L. Bass, a third-year law student from Nashville, Bob E. Booker, a second-year law student from Lyles, and Diane E. Corwin, a second-year law student from Nashville. The team was coached by Professor Jim Thompson. The legal issue answered concerned a corporate officer's liability under the Resource Conservation and Recovery Act, which could have included possible criminal sanctions. Bob Booker was named best oralist during the first round arguments as the team won against Vanderbilt and Touro Law School of Huntington, New York. They then lost the second round to Albany and Hawaii. Since UT was ahead of Hawaii in points, the team advanced to the third round. Loyola of Chicago and George Washington defeated the UT team in the third round, but Diane Corwin was named best oralist during the argument.

The Constitutional Law Moot Court team members are William C. Bright, a second-year law student from Knoxville, Scott D. Carey, a second-year law student from Brentwood, and Matt Ledbetter, a second-year law student from Knoxville. The team was coached by Professor Joseph Cook. Their brief addressed the question: Is a producer of an exercise video tape which contained subliminal messages liable for injuries sustained by a user? Eighteen teams competed in the regionals. UT did not make the quarter-finals.

Andy Logan
is the
1991-92
Editor in Chief
of the
Tennessee Law Review.
Congratulations, Andy!



One of the purposes of the Inns of Court is to provide a forum in which experienced practitioners and judges can pass on knowledge and skills to less experienced lawyers and law students. Student members of the Inn will not only learn from the monthly demonstrations and discussions, but also will be assigned to "pupillage teams" and should get to know the lawyers and judges assigned to their teams in less formal settings. Not only should students receive some excellent training in advocacy skills and get to know many of the leading members of the local bar, but Inn membership is both a local and national honor.

Those second-year students interested in being considered as student members of the Knoxville Inn must attend the meeting on April 11, at which time Professor Dessem and current student Inn members will further describe the Inn. Application forms will be distributed at that time.

TAPIL

Five years ago a group of Harvard Law School graduates began the National Association for Public Interest Law (NAPIL) because they saw a need to support law students interested in public interest law. Today eighty-four law schools belong to NAPIL. NAPIL which is based in Washington, D.C., has an administrative staff of four which supervises its fundraising and lobbying efforts. It also acts as an information source for state organizations. NAPIL sponsors a Career Fair and Conference each year so state organizations can get together.

The Tennessee Association for Public Interest Law (TAPIL) is a dues-paying member of NAPIL. TAPIL votes at NAPIL board meetings on issues and for NAPIL officers. TAPIL shares funds with the national organization and also receives monthly updates on current issues.

Currently NAPIL is lobbying the American Bar Association to free up IOLTA funds (interest earned on attorney retainer fees) to use in loan forgiveness programs.

The University of Tennessee College of Law's TAPIL organization is an active member of the national organization having attended last year's Washington conference and providing funds for three law students to work in public interest jobs last summer. TAPIL officers are: Mary Gasparini - president; Karin Clough - vice president; Diane Corwin - secretary; Patsy Powers - treasurer; Davidson French and Elisabeth Donnovin - executive committee; and Matt Powers - newsletter editor. Kelly Bryson, Carla Fox, and Joe Pascale were 1990 fellowship recipients. Each recipient has provided an insight of their experience and they are printed below.

Kelly Bryson
Public Defender's Office
(Juvenile Division)
Nashville, Tennessee

"Before I got my limited license to practice, I acted mainly as an investigator. Most of my investigations included interviewing witnesses and drawing the scenes of the alleged incidents. (You learn the correct vocabulary quickly, the incident is always 'alleged' and it may involve a 'group' but never a 'gang'.) Most of my investigations took me to the Nashville housing projects. The most difficult interview I conducted in the projects took place on a hot day. Our client sat on his front porch without a shirt on, and I found that I was faced by a large swastika carved onto his chest."

"The most exciting part of the summer was taking my own clients' cases into the courtroom. Many thanks to TAPIL."

Carla Fox

NAACP, New York Headquarters
New York City, New York

"My LDF (Legal Defense Fund) experience was more challenging and rewarding than I can describe. Among other things, I was directly involved in the negotiation and settlement of an employ-

ment discrimination action, and participated in the drafting and filing of documents necessary to effectuate an appeal to the Eighth Circuit Court of Appeals in another employment discrimination action."

"Along with a host of other legal public interest organizations, LDF is housed in an old twenty-two story building in lower Manhattan, near the World Trade Center. LDF attorneys work in small offices and often share secretarial support staff, in contrast to many private law practices."

"During my clerkship, I observed experienced attorneys strategically file appeals with the Supreme Court, lobby for the passage of the Civil Rights Act of 1990, and collaborate with other organizations and cooperating attorneys to maintain a united coalition of civil rights advocates."

Joe Pascale

Intern: Office of the Comptroller of the
Currency

New York City, New York

"My main function was to respond to letters of inquiry. These letters were sent in from bank officers, attorneys, and other representatives for banks. These letters usually requested the OCC's legal opinion on particular banking practices. I would research the questions presented and then draft the letters in response for one of the OCC attorney's signature. Occasionally, I contacted the bank representative over the telephone in order to answer specific questions."

"I also attended a Directors Meeting. In the meeting which I attended, the OCC officers and the directors of a small New England bank were trying to resolve the proper amount of capital which the bank needed to raise in order to avoid becoming insolvent."

"The living expenses in New York City are, needless to say, outrageous. An internship which was purely voluntary did not neutralize my expense situation by any means. The \$1000 grant from TAPIL was, without a doubt, a relieving source of funds for me."

If you are interested in receiving a grant from TAPIL for the summer of 1991, applications are available in the 4th floor TAPIL office. If you have any questions or concerns, please contact any TAPIL officer.

"Estate Planning - It's More Than Wills and Trusts"

A Career Services Seminar
 Wednesday, March 13, 11:00 a.m.
 Moot Court Room

Speakers:

Attorney Dan Holbrook Egerton, McAfee, Armistead & Davis Knoxville	Attorney Michael Hitchcock Assistant Vice President for Planned Giving The University of Tennessee
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The field of estate planning is rapidly expanding its scope to encompass more than just wills and trusts. Estate planning lawyers act as family counselors and tackle almost every aspect of a family's financial life. Attorneys in the field may work in a variety of settings - from private law firms to the development office of educational and medical institutions, and in insurance companies and financial organizations as well.

Whether you simply want to learn more about this area of the law, or are in the information-gathering process for defining your personal career goals, mark your calendars now to hear these practicing professionals.

VOICES FROM THE LEGAL CLINIC

"L.A. Law" comes to the Legal Clinic by Susan Kovac

The child is half-Indian. His mother is not able to care for him. Eventually his case comes before a judge in a state court. That judge orders the child to live with a local family. Is the order valid? Can the tribe intervene? Will the child be moved to the reservation?

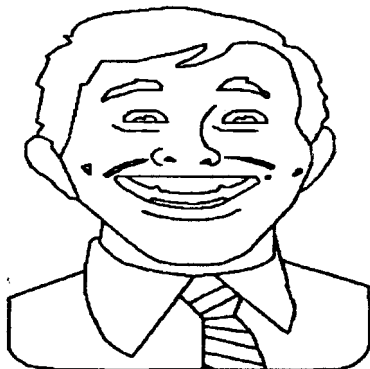
Does this case sound like an episode of "L.A. Law" we watched a few weeks ago? In fact, it is a case currently being litigated by Ralph Gibson, a third-year student in the Legal Clinic. Ralph has been appointed as Guardian ad Litem to represent the child, who has been removed from his mother's custody and put in temporary foster care. Ralph's client is a 6-year-old with a Cherokee father and a Caucasian mother. Like the case on "L.A. Law," Ralph's case will involve application of the federal Indian Child Welfare Act, which grants particular rights to the parents of Indian children and also allows the tribe to intervene.

But there are complications (you knew there would be). When this Indian child was born, his parents were not married to each other. His father has not yet legitimated him. Under the laws of the state of Tennessee, this man is a stranger to the child. He isn't even entitled to notice of the proceedings in state court. Under the Indian Child Welfare Act, an "acknowledged biological parent" is entitled not only to notice, but to court-appointed counsel.

And that's not the end of the story. When this Indian child was born his mother was probably married to someone else, a man she hadn't seen for a long time, but from whom she had never obtained a divorce. Under the laws of the state of Tennessee, our child cannot be legitimated because he was born in wedlock; he's not an illegitimate child. If his father had ever gone into state court and tried to legitimate him, he would have been turned away. Does that mean he has no rights to the child at all? What about the Indian Child Welfare Act?

Does this sound like a crazy hypothetical case from Professor Morgan's Family Law class? It certainly could be, but this time, it's real. And if you want the end of the story, ask Ralph Gibson, Guardian ad Litem, and local expert on the right of biological parents and Cherokee Indians.

Smile! It's Picture Month!



The student pictures for *Lawyers of the Future* will be made in the Career Services office on Tuesday, March 26, and Wednesday, March 27. Please watch for further information on bulletin boards or stop by the Career Services office.

First-year law students will have an assigned time for their picture. Notification of times will be placed in student mailboxes. Second-year law students may have their picture retaken, but will need an assigned time also.

It's composite time in Tennessee! Pictures for the "Class of 1991 Composite" will be taken Tuesday, March 26, and Wednesday, March 27, in the Career Services office. Two shots will be taken and you may select the better of the two for the composite. Each third-year law student who wishes to be on the "Class of 1991 Composite" should be prepared to pay \$15 on the day your picture is taken. This entitles you to a color 8" x 10" copy of the composite. The College of Law will receive a large one, framed and ready to hang, free.

The composite makes a perfect memento of law school and is a once-in-a-lifetime opportunity. Please plan to participate. Other class composites are hanging in the Law Library and are delightful additions to our "hallowed halls." For further information, see Betty Stuart in Suite 14.